

INDEPENDENT ASSOCIATION OF CONTINENTAL PILOTS

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September 24, 1999

U.S. Department of Transportation Dockets
Docket No. FAA-1999-6001 - 31
400 Seventh Street, SW
Room Plaza 401
Washington, D.C. 20590

OFFICE OF THE
CHIEF COUNSEL
FILES DOCKET
1999 SEP 28 A 10:53

Dear Sirs:

The Independent Association of Continental Pilots (IACP) is a labor organization that represents over 6,000 pilots at Continental and Continental Express Airlines. The IACP is **strongly opposed** to the proposed language contained in the Notice of Proposed Rule Making, Docket No. FAA- 1999-600 1, Protection of Voluntarily Submitted Information, 14 CFR Part 193.

The IACP has actively supported the concept of utilizing data gathering programs to assist the FAA in carrying out its safety duties. The IACP has participated since 1993, in the development of an industry leading Flight Operations Quality Assurance (FOQA) program. This **non-punitive** safety program has provided valuable statistical information, which has been utilized to develop improved arrival and departure procedures, and identify potentially hazardous maintenance conditions. Throughout the aviation industry, programs such as the NASA Aviation Safety Reporting System (ASRS), the US Airways Altitude Awareness Program and the American Airlines Aviation Safety Action Program (ASAP) have repeatedly proved the **safety** value of **non-punitive** data gathering programs.

The proposed Part 193-Protection of Voluntarily Submitted Information is too broad in scope and too generic in its language. The

draft proposal will **not** adequately protect the voluntarily submitted data from release outside of the intended safety environment and can allow for the discretionary use of such data in a **punitive** manner.

The IACP strongly believes that for aviation safety data gathering programs to be accepted by the industry and for these programs to reach their full safety potential, the proposed regulations must be rewritten. This rewrite must clearly protect the information from release outside the safety environment and, except for instances of willful and gross violation, not be utilized by any agency in a punitive manner or for regulatory enforcement action.

Respectfully submitted,

Captain Michael J. Hynes
IACP Safety Committee